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PATENTS
AP-40

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicant : Ramamoorthy Rajagopalan
Application No. : 10/090,050 Confirmation No. : 6787
Filed : February 27, 2002
For : UNIVERSAL UNINTERRUPTIBLE POWER SUPPLY
INPUT CIRCUITRY AND METHODS FOR
CONFIGURING SAME
Group Art Unit : 2836
Examiner : Unknown

New York, New York 10020
April 3, 2003

BOX DAC
Hon. Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

PETITION UNDER 37 C.F.R. § 1.137(b,f) FOR REVIVAL
OF UNINTENTIONALLY ABANDONED PATENT APPLICATION

Sir:

Pursuant to 37 C.F.R. § 1.137(b,f), applicant hereby petitions for revival of the above-identified patent application, which may have become abandoned because the above-identified patent application was filed in another country that requires publication of applications eighteen months after filing and applicant unintentionally may have failed to notify the Patent and Trademark Office of that foreign filing within forty-five days thereof.

37 C.F.R. § 1.137(b) (1)

This petition is accompanied by a notification under 37 C.F.R. § 1.213(c) that the above-identified patent application was filed in another country that requires publication of applications eighteen months after filing.

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37 C.F.R. § 1.137(b) (2)

A check in the amount of \$1,300.00, in payment of the petition fee set forth in 37 C.F.R. § 1.17(m), is enclosed herewith. The Director is hereby authorized to charge any additional fee that may be due, or the credit any overpayment, in connection with this Petition, to Deposit Account No. 06-1075. A duplicate copy of this Petition is enclosed herewith.

37 C.F.R. § 1.137(b) (3)

Any delay in notifying the Patent and Trademark Office that the above-identified patent application was filed in another country that requires publication of applications eighteen months after filing, including the delay in filing this petition, was unintentional.

Applicant filed a Rescission Under 37 C.F.R. § 1.213(b) Of Nonpublication Request on December 10, 2002, prior to the earliest foreign filing (February 7, 2003) of the above-identified patent application. The Rescission was filed in a format based on the original Patent and Trademark Office form for such rescissions, which did not include a notification that foreign filing had occurred (and indeed, at the time of filing the rescission, foreign filing had not yet occurred).

Applicant understood, based on the original Patent and Trademark Office form, that filing of the rescission met the requirement for notifying the Patent and Trademark Office that foreign filing had occurred.

The undersigned learned yesterday that the Patent and Trademark Office had changed its form for rescission of a nonpublication request to include an explicit notification of foreign filing, and that under the Patent and Trademark Office's current interpretation of 37 C.F.R. § 1.213(c), the mere rescission of a nonpublication request does not satisfy the requirement that the Patent and Trademark Office be notified that an application in which a nonpublication request had been filed has been filed in a foreign country

that publishes applications after eighteen months. In view of that interpretation, applicant in an abundance of caution has prepared and is filing this Petition immediately.

Request for Retroactive Effect

Applicant further respectfully requests that revival of the above-identified patent application be granted retroactively to March 24, 2003, the date that is forty-five days after the earliest foreign filing.

Conclusion

Prompt grant of this petition is respectfully requested.

I hereby certify that this
correspondence is being deposited
with the United States Postal Service
as first class mail in an envelope
addressed to:
Hon. Commissioner for Patents
P.O. Box 2327
Arlington, Virginia 22202
on April 3, 2003

Name of Person Signing Certificate

Signature of Person Signing Certificate

Date of Signature

Respectfully submitted,



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